



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY**

**REGION 10**

1200 Sixth Avenue, Suite 900  
Seattle, WA 98101-3140

OFFICE OF  
ECOSYSTEMS, TRIBAL AND  
PUBLIC AFFAIRS

July 28, 2009

Ms. Rebecca Hoff  
NOAA  
Damage Assessment and Restoration Center NW  
7600 Sand Point Way NE, Building 1  
Seattle, WA 98155

**Subject: Draft Lower Duwamish River NRDA Programmatic Plan and  
Environmental Impact Statement.  
EPA Project number 07-023-NOA**

Dear Ms. Hoff:

The U.S. Environmental Protection Agency (EPA) has reviewed the draft Environmental Impact Statement (EIS) for the **Duwamish River NRDA Programmatic Restoration Plan and Programmatic EIS** (EPA Project Number 07-023-NOA) in accordance with our responsibilities under the National Environmental Policy Act (NEPA) and Section 309 of the Clean Air Act. Section 309, independent of NEPA, specifically directs EPA to review and comment in writing on the environmental impacts associated with all major federal actions. Under our policies and procedures we evaluate the document's adequacy in meeting NEPA requirements.

The EIS is being developed to provide guidance to the Lower Duwamish River Natural Resource Trustees (Trustees) in their decision to implement restoration of natural resources that have been impacted by hazardous substance releases. The Trustees include NOAA; US Fish and Wildlife Service; the Bureau of Indian Affairs; Washington State Departments of Ecology, Fish and Wildlife Service, and Natural Resources; the Muckleshoot Indian Tribe; and the Suquamish Indian Tribe. The Duwamish River has undergone widespread contamination with numerous potentially responsible parties (PRPs) and therefore, this EIS is also intended to keep the public and PRPs informed of restoration planning and the decision making process.

We appreciate the coordination with EPA staff involved in clean up activities through our Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) authority. We believe that the EIS comprehensively describes the restoration strategy, restoration objectives, and monitoring criteria. We have assigned a rating of Lack of Objection (LO) to the draft EIS. This rating and a summary of our comments will be published in the Federal Register.

While we support the project, we have suggestions we believe would strengthen the document. In our comments on the preliminary draft EIS, we recommended inclusion of additional detail on baseline water quality. We acknowledge that this is a broad scale

programmatic EIS and that more detail will be provided as restoration proposals are submitted to NOAA and Environmental Assessments are developed. However, we believe that the programmatic EIS should also provide data and a discussion of current water quality contamination levels, details about sources impacting water quality and potential restoration effectiveness (e.g. non point source, storm water outfalls, invasive species), and bank stability.

The EIS includes good references to other restoration plans that exist for the Duwamish River. We are glad to see that the Duwamish River Cleanup Coalition Visioning Report was included in this list. This report is a great resource that helps readers understand the perspective of the impacted community. Their main concerns are about health and environmental impacts from multiple sources of pollution and they look forward to a cleaned up Duwamish River Valley. Although the EIS includes a section on public participation, and a section on cultural resources and Tribal resources that have been impacted, the EIS should provide more detail about coordination with communities of concern and how restoration proposals can address their issues. We recommend that the EIS provide some detail about the communities affected by the past contamination and industrial activities, what their concerns or ideas are with restoration projects, and how these concerns are being addressed.

Thank you for the opportunity to comment on this draft EIS. If you would like to discuss our comments further, please contact Lynne McWhorter of my staff at (206) 553-0205.

Sincerely,

//s//

Christine Reichgott, Manager  
Environmental Review and Sediment Management Unit